

Case 3:21-cv-30032-MGM Document 1 Filed 04/23/21 Page 1 of 6
UNITED STATES DISTRICT COURT
DISTRICT OF BOSTON MASSACHUSETTS

Steven L Smith,
Plaintiff

VS.

DEFENDANTS:

1) Sherry, UNIT B1
SOCIAL WORKER

2) ALL STAFF WORKING B1 UNIT
DURING AT TIME INCIDENT

3) CAMPUS POLICE MEMBERS

4) UNNAMED STAFF MEMBER THAT
TOOK PHONE OUT MY HAND

5) AARON 6) Psychiatrist on CASE

~~STAFF MEMBER~~ ~~PERSONNEL~~ SS

(ALL IN BOTH OFFICIAL
AND INDIVIDUAL CAPACITY)

Docket #

Date April 12, 2021

CIVIL COMPLAINT

Under U.S.C. 42 § 1983

1) The Plaintiff, Steven L Smith, is a patient committed to WORCESTER RECOVERY CENTER HOSPITAL (FOR A 40 DAY EVALUATION) AT 309 BELMONT STREET, WORCESTER, MA. 01604

2) ALL OF THE ABOVE NAMED DEFENDANTS ARE EMPLOYED AT THE WORCESTER RECOVERY CENTER AT 309 BELMONT STREET, WORCESTER, MA. 01604

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(3) The psychiatrist filling in "for Dr. Dawe is Black, tall, and temporarily assigned to my case in Unit B-1

(4) ALL STAFF ON DUTY IN B1 DAWING UNIT ON DATES AND TIMES RELATING TO PLAINTIFFS' COMPLAINTS INCLUDING 'AARON' AND VARIOUS STAFF.

(5) PLAINTIFF DOES HAVE A PENDING LAWSUIT AGAINST A STAFF MEMBER AT WORCESTER JAIL SMITH VS Sheriff Lewis 3:20 CV 30173-KAR -

(6) PLAINTIFF has exhausted his administrative remedies by filing an official complaint form, however, it cannot remedy this action in that I was assaulted due to the malicious and deliberate indifference of W. R. C. H STAFF MEMBERS.

COMPLAINT

(7) DAYS PRIOR TO The Assault against me by patient "Kyle" - A young, Black male apx 23 years old - I informed my social worker Sherry and substituting psychiatrist on my team that I was being threatened and disparaged by patient Kyle.. That he was calling me a rapist and saying I'm on the sex Registry... NO ... ONLY MY NAME IS ON IT. BUT I'M NOT ANY OF THE MANY STEVEN SMITHS ON IT.

SMITH VS WORCESTER RECOVERY CENTER HOSP.

- (8) I Left A voice mail message on Sherry's phone with the W. R. C. H IN-HOUSE phone system. ITS MY UNDERSTANDING RECORDS ARE KEPT OF ALL CALLS. I TOLD HER MY SAFETY WAS AT RISK.. SHE CAME AND TOLD ME TO FILE A COMPLAINT. I DID SO. BUT RECEIVED NO RESPONSE.
- (9) ON April 9, 2021, Kyle told several staff members "you better make this F-N RapiSt." AND "YOU KNOW ME- I AM NOT PLAYING." I TOLD STAFF, IN REPLY TO THEIR direction to AVOID him: "How Can I AVOID him when we're on the same Unit, he's in 15 ROOM, I'm in 14, and we must share COMMUNAL Kitchen / T.V. ROOMS? AND There's NO LOCKS on OUR ROOM DOORS.
- (10) Kyle continued to grow more and more aggressive and threatening while the staff SAT and stood around doing nothing other than monitoring the situation. Yet Kyle made it clear— he was intent on assaulting me At the 1st opportunity.

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- (11) Ultimately Kyle made good on his threats: He attacked me: He spit in my face, twice. Punched me in the back of the head several times then threw a carton of milk at my face striking my left eye before he was restrained.
- (12) I was moved to D-Wing. During the move Kyle stole 25.00 worth of my 'SNACKS' SENT IN FROM my SISTER OUT OF THE KITCHEN CABINET when STAFF OPENED IT FOR SUPPER.
- (13) Kyle TOLD STAFF for several hours to "GET HIM OUT OF THE UNIT before I hurt him" AND that was NOT the first time he openly made threats against me in front of STAFF. About one week earlier he slapped the remote out STAFF member Sincron's hands.. And told him he also planned to assault me as I am a "Rapist"

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- 14) I called W. R. C. H Campus police. They directed me to tell the nurse but the nurses kept telling me to return to my unit. I called my sister, Nicole Miercles, 401-545-4188, to tell her what happened and she said call 911.
- 15) As I spoke to a 911 Dispatcher, a staff member ran into my room and snatched the phone away - even as the Dispatcher told me to hold on.
- 16) The psychiatrist or person substituting for Dr. Dawe came to see me and told me she's taking my phone privileges as I called 911 and prescribing me a sleeping aid... as if I am NUTS.
- 17) The FACT is, I WAS FOUND COMPETENT AT BRIDGEWATER IN DECEMBER 2020 - SEE ATTACHED - AND HAVE NO CONVICTIONS FOR ANY SEX CRIMES YET GIVEN THE NAME STEVEN SMITH IS ON THE REGISTRY - I HAVE BEEN ASSAULTED MANY, MANY TIMES BECAUSE OF IT.

SMITH VS W. R. C. H

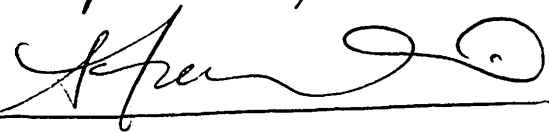
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18) The campus police have spoken to me, twice. They did not write my statements nor have me sign my. I also did not see them talking to Kyle. I also name them in this suit as their 'role' seems to keep such incidents out of the public domain and prevent any scrutiny into the operations of W. R. C. H.

REDRESS

- 1) I seek A TRIAL BY JURY TRIAL
- 2) I SEEK 100,000.00 COMPENSATORY
- 3) I SEEK 100,000.00 PUNITIVE
- 4) I SEEK 500.00 Filing Fee Plus ALL ATTORNEY AND COURT COSTS.

Respectfully Submitted,



April 12, 2021

Steven L Smith
Worcester Recovery Center
309 Belmont Street
Worcester, MA 01604